

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

FRANKLIN CREDIT MANAGEMENT CORPORATION,	:	APPEAL NO. C-070292
		TRIAL NO. A-0605035
	:	
Plaintiff-Appellee,		
vs.	:	JUDGMENT ENTRY.
GLORIA and WILLIAM JAMES FORTE,	:	
	:	
Defendants-Appellants.		

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Gloria and William James Forte purchased a house in May 2003. They secured the promissory note with a mortgage on the house. Both Fortes signed the mortgage; only William signed the promissory note. The mortgage was assigned to Franklin Credit Management Corporation in 2004. At some point, William defaulted on the promissory note; Franklin sued the Fortes for foreclosure.

Franklin moved for summary judgment and the Fortes opposed the motion. A magistrate sustained Franklin's summary-judgment motion. The Fortes did not file any objections to the magistrate's decision. The trial court adopted the magistrate's decision and entered summary judgment for Franklin. The Fortes now appeal.

¹See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

It is not clear from their brief what the Fortes are assigning as error. But we do not need to consider any substantive arguments. After the magistrate had issued the decision granting summary judgment for Franklin, the Fortes failed to object. “[I]f a party fails to object to a magistrate's finding or conclusion, that party waives the right to challenge the finding or conclusion on appeal.”² The Fortes have waived the right to challenge the trial court’s entry of summary judgment. Thus, the trial court’s judgment is affirmed.

A certified copy of this Judgment Entry is the mandate, which shall be sent to the trial court under App. R. 27. Costs shall be taxed under App.R. 24.

HILDEBRANDT, P.J., PAINTER and DINKELACKER, JJ.

To the Clerk:

Enter upon the Journal of the Court on June 25, 2008

per order of the Court _____.
Presiding Judge

² *Brott Mardis & Co. v. Camp*, 147 Ohio App. 3d 71, 78, 2001-Ohio-4349, 768 N.E.2d 1191.